

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

DARRYL CHALMERS, DARREN CONNORS,
GLENN MENDEZ, JAMES NOVA, FATIMA
Q. ROSEMOND, and AFSCME DISTRICT
COUNCIL 37 LOCAL 2507,

Plaintiffs,

v.

THE CITY OF NEW YORK,

Defendant.

Case No. 20 Civ. 3389 (AT)

**NOTICE OF MOTION FOR PRELIMINARY APPROVAL
OF STIPULATION OF SETTLEMENT**

PLEASE TAKE NOTICE that, upon Plaintiffs' Memorandum of Law in Support of Plaintiffs' Motion for Preliminary Approval of Stipulation of Settlement dated August 29, 2023 (the "Memorandum"), the Stipulation of Settlement dated August 11, 2023 (the "Stipulation") (Ex. 1 to the Memorandum), the exhibits to the Memorandum (Exs. 1.A, 1.B, and 1.C to the Memorandum), and the Declaration of Michael D. Lieder dated August 29, 2023, and all the papers and proceedings in this case, the Plaintiffs in this action will move this Court, before the Honorable Analisa Torres, United States District Judge, at the United States Courthouse for the Southern District of New York, located at 500 Pearl Street, New York, New York 10007, at a date and time to be set by the Court, for entry pursuant to Fed. R. Civ. P. 23 of the Order attached as Exhibit 1.C or a substantially similar Order, that, among other forms of relief:

- (a) preliminarily certifies the proposed Damages Class and Pay Adjustment Class (together “the Settlement Classes”) as likely to be adjudged to meet the standards of Fed. R. Civ. P. 23(a) and (b);
- (b) preliminarily approves the Stipulation attached as Exhibit 1 to the Memorandum as likely to be adjudged to be fair, reasonable, and adequate and otherwise meet the standards of Fed. R. Civ. P. 23(e);
- (c) approves the Notice attached as Exhibit 1.A;
- (d) approves the procedures for providing Notice set out in the Stipulation to the members of the Settlement Classes;
- (e) directs Plaintiffs to file a motion for approval of service awards no later than 30 days after the Notice is sent to Settlement Class members;
- (f) directs Class Counsel to file a motion for attorneys’ fees and reimbursement of expenses no later than 30 days after Notice is sent to Settlement Class members;
- (g) sets a date and time for the Final Approval Hearing, at which the Court will consider whether to approve the Settlement Classes and the Stipulation of Settlement and the extent to which to grant the motion for approval of service awards and the motion for attorneys’ fees and reimbursement of expenses.

PLEASE TAKE FURTHER NOTICE that, pursuant to Local Rule 6.1(b), any opposition to this motion is due on or before September 12, 2023.

Dated: Washington, DC
August 29, 2023

/s/ Michael D. Lieder
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